



<b>UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY</b>	Order Filed on November 14, 2019 by Clerk
<b>RAS Citron, LLC</b> 130 Clinton Road, Lobby B, Suite 202 Fairfield, NJ 07004 Telephone: 973-575-0707 Attorneys For Secured Creditor  Laura Eggerman, Esq. (LE-8250)	Case No.: 16-32586-VFP U.S. Bankruptcy Court District of New Jersey  Chapter <del>12</del> 11  Hearing Date: December 12, 2019  Judge: Vincent F. Papalia
<b>In Re:</b>  <b>JAMES WALTER LUCAS and BARBARA JEAN LUCAS,</b>  <b>Debtor.</b>	

**CONSENT ORDER RESOLVING OBJECTION TO CONFIRMATION OF PLAN  
FILED BY THE BANK OF NEW YORK MELLON AS TRUSTEE FOR THE BENEFIT  
OF THE CERTIFICATEHOLDERS OF POPULAR ABS, INC. MORTGAGE PASS-  
THROUGH CERTIFICATES SERIES 2006-C**

The relief set forth on the following pages, numbered two (2) through three (3), is hereby  
**ORDERED.**

**DATED: November 14, 2019**

  
\_\_\_\_\_  
Honorable Vincent F. Papalia  
United States Bankruptcy Judge

THIS MATTER having come before the Court on the Objection to Confirmation of Plan (Docket #128) filed by RAS Citron, LLC, counsel for Secured Creditor, THE BANK OF NEW YORK MELLON AS TRUSTEE FOR THE BENEFIT OF THE CERTIFICATEHOLDERS OF POPULAR ABS, INC. MORTGAGE PASS-THROUGH CERTIFICATES SERIES 2006-C ("Secured Creditor"), as to the real property commonly known as 298-300 CLINTON PLACE, NEWARK, NEW JERSEY 07112 (the "Property"), and the Law Offices of Scott J. Goldstein, LLC representing the debtors JAMES WALTER LUCAS AND BARBARA JEAN LUCAS (the "Debtors"), and the parties agreeing to the entry of the Order settling the Objection, and for good cause shown; it is ORDERED AND DECREED as follows:

1. The treatment of Secured Creditor's Class 2b Secured Claim is modified as follows: the Secured Claim of Secured Creditor will be crammed down to \$175,665.89, which amount will be paid over a three hundred sixty (360) month term, at 5.50% interest in monthly installments of \$997.41 in principal and interest to be paid commencing on the first day of the first full month after entry of this order, and thereafter, on the first day of each successive month until paid in full, which will not exceed the date of October 10, 2049. The balance of the claim shall be reclassified as a General Unsecured Claim and paid in accordance with the treatment afforded Class 5 creditors.

2. If payments due under the Plan or this Consent Order are not received by Secured Creditor within ten (10) days of the date due, Secured Creditor shall provide Debtor with written notice of the default, by postage pre-paid first class U.S. Mail at the address cited below. If the default is not cured within fourteen (14) days of notice being sent, Secured Creditor shall be allowed to proceed with any and all non-bankruptcy remedies provided under state law or the existing loan documents, without any further or other order, notice, or proceeding of this Court. Debtor agrees not to interfere with Secured Creditor's rights and remedies upon default.

James Walter Lucas and Barbara Jean Lucas  
884 Stanford Ave.  
Irvington, NJ 07111

3. The Debtors shall pay and maintain directly any tax imposed by local or state governments with respect to this Property and shall insure the Property as required by the loan documents, with Secured Creditor identified as loss payee, evidence of such declaration shall be provided to Secured Creditor within thirty (30) days of entry of this order, annually on January 1

of each year, and upon reasonable request by Secured Creditor. I In the event that the Debtor defaults on such obligations, Secured Creditor shall be allowed to advance funds necessary to cure such default and shall be reimbursed for said advances from the Debtor and against the collateral, and, in Secured Creditor's discretion, to impose an escrow impound monthly obligation consistent with expected future accruals to protect its interest in the Property.

4. In the event of an uncured default, dismissal, conversion to another chapter under the Bankruptcy Code, transfer of the Property, or refiling under any chapter of the Bankruptcy Code, the terms of this Order with respect to the amount of the Secured Claim shall be void, and Secured Creditor shall retain its lien in the full unmodified amount due under the Note and Deed of Trust prior to the commencement of this Bankruptcy Case less contractual application of any payments made since the filing of this Bankruptcy Case.

The undersigned hereby consent to the form and entry of the within order.

**Law Office of Scott J. Goldstein, LLC**  
Attorney for Debtors,  
*James Walter Lucas and*  
*Barbara Jean Lucas*

By: 

Scott J. Goldstein Esq.

Dated: 11/19/19

**RAS Citron, LLC**  
Attorneys for *The Bank of New York Mellon*  
*as Trustee for the Benefit of the Certificate*  
*Holders of Popular ABS, Inc. Mortgage*  
*Pass-Through Certificates Series 2006-C*

By: 

Dated: 11.14.2019

## Imaged Certificate of Notice Page 4 of 4

United States Bankruptcy Court  
District of New JerseyIn re:  
James Walter Lucas  
Barbara Jean Lucas  
DebtorsCase No. 16-32586-VFP  
Chapter 11**CERTIFICATE OF NOTICE**

District/off: 0312-2

User: admin  
Form ID: pdf903Page 1 of 1  
Total Noticed: 2

Date Rcvd: Nov 15, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 17, 2019.

db/jdb James Walter Lucas, Barbara Jean Lucas, 884 Sanford Ave, Irvington, NJ 07111-1510  
aty +Law Offices of Scott J. Goldstein, LLC, 280 West Main Street, Denville, NJ 07834-1233Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.****Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Nov 17, 2019

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 15, 2019 at the address(es) listed below:

Betsy Ann Rosenbloom on behalf of Creditor Bayview Loan Servicing, LLC  
brosenbloom@wcmolaw.com

Denise E. Carlon on behalf of Creditor Ditech Financial LLC dcarlon@kmlawgroup.com,  
bkgroup@kmlawgroup.com

Douglas A. Goldstein on behalf of Creditor City of Newark, New Jersey  
dgoldstein@selawfirm.com, bspector@selawfirm.com

John R. Morton, Jr. on behalf of Creditor CAB East LLC, serviced by Ford Motor Credit Company  
LLC ecfmail@mortoncraig.com, mortoncraigecf@gmail.com

Justin Plean on behalf of Creditor The Bank of New York Mellon Trust Company  
jplean@rasflaw.com, bkyecf@rasflaw.com; ras@ecf.courtdrive.com

Justin Plean on behalf of Creditor DEUTSCHE BANK NATIONAL TRUST COMPANY jplean@rasflaw.com,  
bkyecf@rasflaw.com; ras@ecf.courtdrive.com

Laura M. Egerman on behalf of Creditor THE BANK OF NEW YORK MELLON F/K/A THE BANK OF NEW YORK  
AS SUCCESSOR TRUSTEE FOR JPMORGAN CHASE BANK, N.A., AS TRUSTEE FOR THE BENEFIT OF THE  
CERTIFICATEHOLDERS OF POPULAR ABS, INC. MORTGAGE PASS-THROU bkyecf@rasflaw.com,  
bkyecf@rasflaw.com; legerman@rasnj.com

Laura M. Egerman on behalf of Creditor Ditech Financial LLC bkyecf@rasflaw.com,  
bkyecf@rasflaw.com; legerman@rasnj.com

Miriam Rosenblatt on behalf of Creditor Ocwen Loan Servicing, LLC  
miriam.rosenblatt@mhllp.com, mrosenblatt@rasflaw.com

Scott J. Goldstein on behalf of Debtor James Walter Lucas sjg@sgoldsteinlaw.com,  
cmecf.sgoldsteinlaw@gmail.com; notices@uprightlaw.com; G31979@notify.cincompass.com

Scott J. Goldstein on behalf of Joint Debtor Barbara Jean Lucas sjg@sgoldsteinlaw.com,  
cmecf.sgoldsteinlaw@gmail.com; notices@uprightlaw.com; G31979@notify.cincompass.com

Steven P. Kelly on behalf of Creditor Wilmington Savings Fund Society, Et Al...  
skelly@sterneisenberg.com, bkecf@sterneisenberg.com

Steven P. Kelly on behalf of Creditor Waterfall Victoria Grantor Trust II, Series G  
skelly@sterneisenberg.com, bkecf@sterneisenberg.com

U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

William M. E. Powers, III on behalf of Creditor Bayview Loan Servicing, LLC ecf@powerskirn.com

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TOTAL: 17